

FILED

NOV 21 2017

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF WEST VIRGINIA

U.S. DISTRICT COURT-WVND  
MARTINSBURG, WV 25401

UNITED STATES OF AMERICA,

Plaintiff,

v.

MATTHEW DEAN SMITH,

Defendant.

Criminal No. 3:17-CR- 88

Violations: 26 U.S.C. § 5861(d)  
26 U.S.C. § 5871

INDICTMENT

The Grand Jury charges that:

COUNT ONE

(Possession of Unregistered Firearm)

On or about October 14, 2017, in Berkeley County, in the Northern District of West Virginia, defendant MATTHEW DEAN SMITH, knowingly received and possessed a firearm, a black and silver silencer, not registered to him in the National Firearms Registration and Transfer Record, in violation of Title 26, United States Code, Sections 5841, 5861(d), and 5871.

FORFEITURE ALLEGATION

*National Firearms Act*

1. Pursuant to Title 26, United States Code, Section 5872, and Title 26, United States Code, Section 2461(c), the government will seek the forfeiture of property as part of the sentence imposed in this case; that is, the forfeiture of any firearm involved in any violation of Title 26, United States Code, Sections 5841, 5861(d), and 5871, including a black and silver firearm silencer.

2. Pursuant to Title 28, United States Code, Section 2461(c), the government will seek forfeiture of substitute property up to the value of property subject to direct forfeiture that is not available for forfeiture on account of any act or omission contemplated by Title 21, United States Code, Section 853(p)(1), which property includes a black and silver firearm silencer.

A True Bill,

/s/

Grand Jury Foreperson

/s/  
WILLIAM J. POWELL  
UNITED STATES ATTORNEY

Lara K. Ombs-Botteicher  
Assistant United States Attorney